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FIRST NAMED INVENTOR APPLICATION NO. FILING DATE ATTORNEY DOCKET NO. CONFIRMATION NO. 10/627,073 07/24/2003 3106 Yahya Hodjat P03-030A EXAMINER 26683 7590 03/17/2005 THE GATES CORPORATION JENKINS. DANIEL J IP LAW DEPT. 10-A3 ART UNIT PAPER NUMBER

1551 WEWATTA STREET
DENVER, CO 80202

ART UN
1742

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

1) ⊠ Responsive to communication(s) filed on 24 July 2003. 2a) ☐ This action is FINAL. 2b) ☑ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☑ Claim(s) 1-21 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) is/are objected to. 8) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1.☐ Certified copies of the priority documents have been received. 2.☐ Certified copies of the priority documents have been received in Application No 3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.		Application No.	Applicant(s)	
Daniel J. Jenkins 1742		10/627,073	HODJAT, YAHYA	
Preiod for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available used the providues of 3 CFR 1.13(g). In an event, however, may a reply be timely filed to the providue of 3 CFR 1.13(g). In an event, however, may a reply be timely filed to the providue of the providue of 3 CFR 1.13(g). In an event, however, may a reply be timely filed to the period for reply specified above is less than thirly (0) days, we reply within the statistic reply specified above is less than thirly (0) days, a reply within the statistic reply specified above is less than thirly (0) days, a reply within the statistic reply specified above is less than thirly (0) days, a reply within the statistic reply is specified above is less than thirly (0) days, and the statistic reply specified above is less than thirly (0) days, and the statistic reply to the statistic reply is specified above is less than thirly (0) days, and the statistic reply specified above the specified reply within the statistic reply is specified above. The statistic reply is specified above to the specified reply within the statistic reply is specified above. The specified reply within the statistic reply is specified above. The specified reply within the statistic reply is specified above. The specified reply specified above the mention of the statistic reply specified above. The specified reply specified above the specified reply specified above. The specified reply specified above the specified reply specified above the specified reply specified reply specified above. The specified reply specified reply specified above the specified reply		Examiner	Art Unit	
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be variable under the provisions of 3 CPR 1.135(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. It NO period for reply is spacified above, the maximum tablatory period within the studency minimum at thirty (20) dury will be considered irrarly. It NO period for reply is spacified above, the maximum tablatory period will say had will be egis X(6) MONTHS from the mailing date of this communication. Fallurs to reply within the set or extended period for reply will, by stakind, cause the application to become ABANDONED (SS U.S.C. § 133). Any reply received by the Office aller than time among that the him aller period set with the mailing date of this communication, even if timely filed, may reduce any example period to the provision of the provis	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply			
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a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☑ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 1. ☐ Certified copies of the priority documents have been received in Application No 4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date 5) ☐ Notice of Informal Patent Application (PTO-152)	Priority under 35 U.S.C. § 119			
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	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) 🔲 Notice of Informal Pa		

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1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-3, drawn to a method of surface densification of a sintered body, classified in class 419, subclass 28.
- II. Claims 4-21, drawn to a surface densified sintered article, classified in class 75, subclass 228.
- 1. The inventions are distinct, each from the other because of the following reasons: Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product can be made by pressing a non-rotational tool into the surface.
- 2. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 3. During a telephone conversation with Jeffrey Thurnau on 7 March 2005 a provisional election was made without traverse to prosecute the invention of I, claims 1-
- 3. Affirmation of this election must be made by applicant in replying to this Office action.

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Claims 4-21 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Buckley-Golder et al. (B-G et al.).

B-G et al. discloses a method of surface densifying a sintered part comprising:

providing a sintered body formed by preparing powder, pressing powder in a die, removing the pressed powder, and sintering the pressed powder to form a sintered body (col. 5, lines 38-45).

B-G et al. further discloses to surface densify said sintered body by rotating said part against a tool (col. 3, lines 20-25).

B-G et al. further discloes wherein the tool forms ribs in the sintered body (see Fig. 4).

B-G et al. further discloses wherein the inside of a sintered body can be surface densified by the same method (col. 5, lines 1-10).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Jenkins whose telephone number is 571-272-1242. The examiner can normally be reached on M-TH6:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on 571-272-1242. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel J. Jenkins Primary Examiner Art Unit 1742